

Message Text

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10

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C O N F I D E N T I A L STATE 066660

E.O. 11652: GDS

TAGS: PINT, PFOR, KS

SUBJECT: INTERPRETATION OF ANTI-SLANDER LAW

REF: SEOUL 1930

1. APPRECIATE ROKG'S INFORMAL CLARIFICATION OF APPLICATION OF NEW ANTI-SLANDER LAW. HOWEVER, IN VIEW OF AMBIGUITIES IN WORDING OF LAW DEPARTMENT BELIEVES IT DESIRABLE TO SECURE MOFA/JUSTICE MINISTRY INTERPRETATION IN NOTE.

2. THE FOLLOWING ARE THE SPECIFIC POINTS REQUIRING SUCH WRITTEN CLARIFICATION:

(A) DOES LAW APPLY TO CITIZENS OF OTHER NATIONS WHILE IN KOREA?

(B) DOES LAW APPLY TO KOREAN EMPLOYEES OF AMERICAN GOVERNMENT OR PRIVATE ORGANIZATION (E.G., KOREAN CITIZENS
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REPORTING TO U.S. NEWS AGENCIES IN KOREA OR ABROAD?)

(C) DOES LAW APPLY TO KOREANS RESIDING IN OR VISITING
THE U.S.?

(D) DOES LAW APPLY TO THOSE HOLDING DUAL US/ROK
CITIZENSHIP?

3. FYI: WE FORESEE SIGNIFICANT DIFFICULTIES IN POLITICAL
ASYLUM REQUESTS GIVEN BROAD WORDING OF LAW AND ITS
APPARENT APPLICABILITY TO ACTIONS OF KOREANS ABROAD.
SIMILAR, BUT LESS OBVIOUSLY EXTRATERRITORIAL LAWS
HAVE CAUSED US SIGNIFICANT PROBLEMS IN PAST, END FYI.

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